

Revised Draft Environmental Impact Statement/
Environmental Impact Report

Truckee River Operating Agreement

SWRCB Change Petitions and Water Appropriation Applications Package Appendix

California and Nevada

August 2004

**United States Department of the Interior
Bureau of Reclamation
Fish and Wildlife Service
Bureau of Indian Affairs**

**State of California
Department of Water Resources**



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

IN REPLY
REFER TO:

DEC 19 2003

MP-440
WTR-4.10

Mr. Harry Schueller
Chief Deputy Director
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: Truckee River Operating Agreement (TROA) Change Petitions – License 3723
(Application 5169) Boca; License 4196 (Application 9247) Independence;
Permit 11605 (Application 15673) Stampede; and License 10180
(Application 18006) Prosser

Dear Mr. Schueller:

With this letter, the Bureau of Reclamation (holder of Permit 11605 (Application 15673) for Stampede Reservoir and License 10180 (Application 18006) for Prosser Creek Reservoir), Truckee Meadows Water Authority (holder of License 4196 (Application 9247) for Independence Reservoir), and Washoe County Water Conservation District (holder of License 3723 (Application 5169) for Boca Reservoir) are submitting four petitions requesting changes to the points of diversion and rediversion, place of use, and purposes of use for: Stampede Reservoir (enclosure 1), Prosser Creek Reservoir (enclosure 2), Boca Reservoir (enclosure 3), and Independence Lake (enclosure 4). These four reservoirs will be referred to hereafter as the Truckee River reservoirs. Additionally, applications for a new appropriation at Stampede Reservoir (enclosure 5) and Prosser Creek Reservoir (enclosure 6) are being submitted with the change petitions. Together, the change petitions and the applications are intended to accommodate implementation of the TROA. TROA has been negotiated pursuant to Section 205(a) of Public Law 101-618, the Truckee-Carson-Pyramid Lake Water Rights Settlement Act, to make operations at existing Truckee River reservoirs more effective and efficient, and to expand their use in order to provide multiple benefits, such as:

- Enhancing instream flows and water quality
- Enhancing spawning flows for Pyramid Lake fishes
- Enhancing reservoir storage to serve recreational uses
- Increasing the municipal and industrial drought water supply for the Truckee Meadows area, the town of Fernley, and the Truckee River basin in California.

TROA provides agreed-upon rules for accounting of water stored, released, exchanged, displaced, or spilled at Truckee River reservoirs. These accounting rules apply only among the parties to TROA or new storing parties pursuant to the terms of TROA.

In accordance with the enclosed petitions and applications, the proposed changes and appropriations should not become effective unless and until TROA is executed and by its terms becomes effective.

All existing rights to divert water would continue to be exercised according to current priorities; all existing dam safety and flood control requirements would be retained; and the exercise of Orr Ditch decreed water rights would continue to be recognized and protected.

Two key elements that differentiate operations under TROA from current operations are: First, signatory parties would be allowed to retain in storage in Truckee River reservoirs (as "credit water") all or a portion of the water they were entitled to divert from the Truckee River for direct use, making the resulting stored water available for their designated beneficial use at a later time. Second, credit water could be exchanged under prescribed conditions with other categories of water stored in Truckee River reservoirs. Also enclosed is a document that describes operations under TROA and identifies in more detail the reasons for the change petitions and new applications (enclosure 7).

Because the operations of the Federal and private reservoirs would be managed pursuant to the provisions of TROA, petitioners request that these four petitions be noticed, considered, and approved together as "one action." As indicated above, two applications to be used at Stampede and Prosser Reservoirs are also being submitted with the change petitions. We, therefore, request that these applications be considered in the same action with the change petitions. However, it is important to each of the signatories to this letter, that consideration of the applications not delay the approval of the change petitions.

Please send all correspondence to the three representatives of the signatories listed below:

Mr. John Renning
Mid-Pacific Region
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Ms. Sue Oldham
Truckee Meadows Water Authority
P.O. Box 30013
Reno, NV 89520-3013

Mr. Donald Casazza
Washoe County Water Conservation District
275 Hill Street, Suite 230
Reno, NV 89501

Pursuant to the provisions of the Public Resources Code, Section 10005, the fee in the amount of \$850.00 payable to the State of California, Department of Fish and Game, is enclosed for this action (enclosure 8). The State Water Resources Control Board (SWRCB) has previously

indicated that water right actions such as the subject petitions/applications will not be processed until payment is received. Reclamation continues to make this payment under protest.

It is Reclamation's understanding that the administrative process fee of \$100.00 needed to process a petition/application is covered under the service contract currently in place between Reclamation and the SWRCB for services rendered by the SWRCB staff.

We appreciate your consideration of these requests whose approval will lead to a major new water operations regime on the Truckee River that is of great importance to us and many other interests. Should you have any questions or need additional information regarding this matter, please contact Mr. John Renning of our Water Rights staff at 916-978-5295.

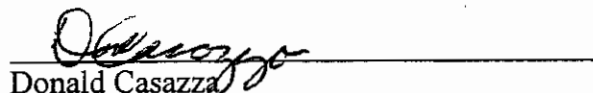
Sincerely,



Donna E. Tegelman
Regional Resources Manager
Mid-Pacific Region
U.S. Bureau of Reclamation



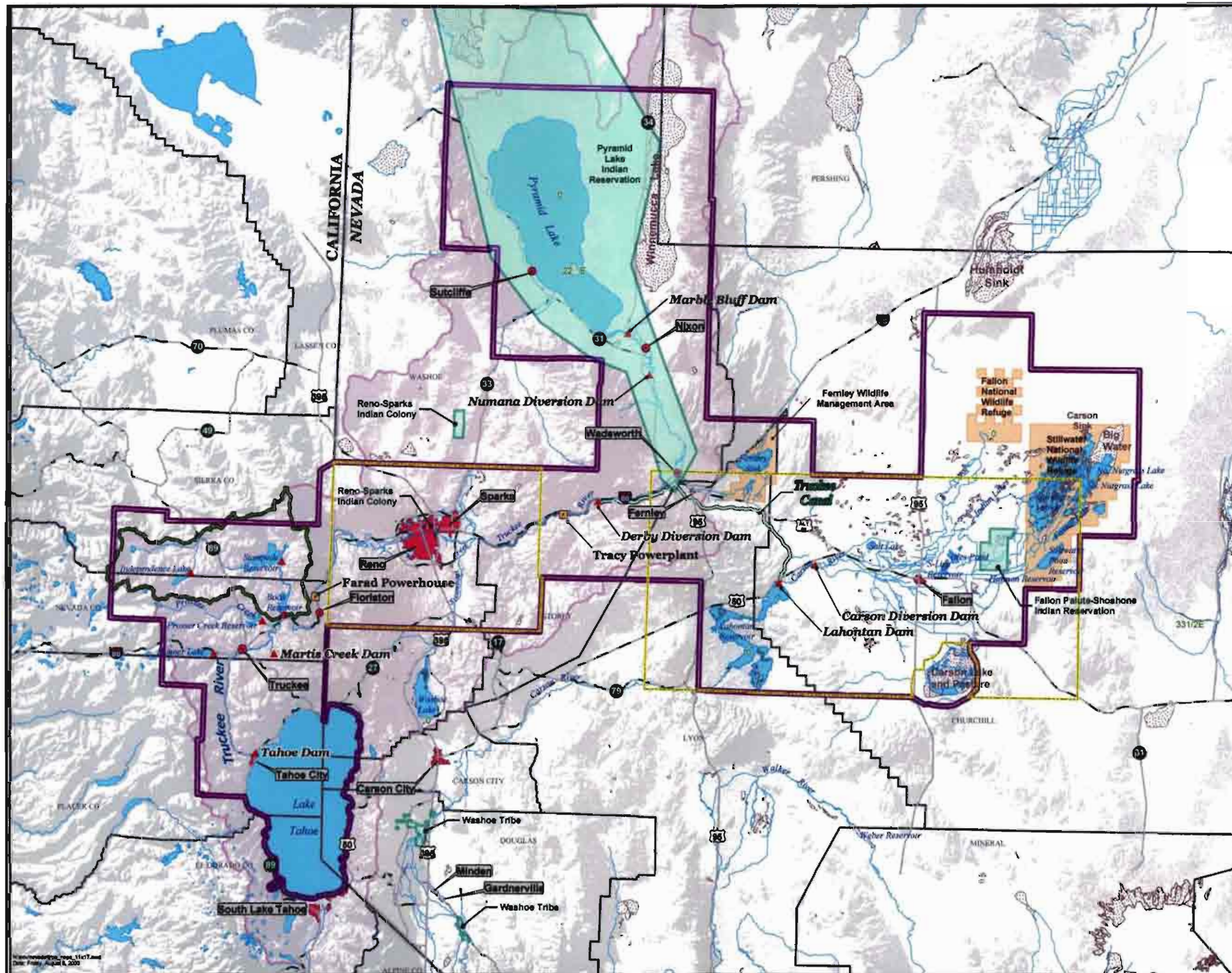
Lori Williams
General Manager
Truckee Meadows Water Authority



Donald Casazza
President
Washoe County Water Conservation District

Enclosures - 8

cc: Ms. Sue Oldham
Truckee Meadows Water Authority
P.O. Box 30013
Reno, NV 89520-3013



- Place of Use & EIS/EIR Study Area
- Existing Place of Use
- Truckee Basin
- Little Truckee River Watershed
- National Wildlife Refuge
- Indian Reservations
- Counties
- Cities
- Cities
- Truckee Canal
- Rivers
- Major Roads
- Dams
- Powerplants



1:650,000

TROA EIS/EIR Study Area

August 8, 2003
Draft #1

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

PETITION FOR CHANGE
(WATER CODE 1700)

☒ Point of Diversion, ☒ Point of Rediversion, ☒ Place of Use, ☒ Purpose of Use
Application 15673 Permit 11605 License _____ Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No

(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water transfers and exchanges in accordance with TROA.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
- WATER WILL BE USED FOR See Attachment and Exhibit 4 ^(yes/no) PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership

(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? _____

(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19, 202003 at Sacramento, California

(916) 978-5200

Signature(s)

Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

ATTACHMENT

Petition for Change Application 15673 - Permit 11605

General

Permit 11605 (Application 15673) for Stampede Reservoir is held by the United States, Bureau of Reclamation (Reclamation). This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit or license shall be in accordance with the provisions contained in this permit or license and the Truckee River Operating Agreement.”

Existing Points of Diversion and Rediversion under the Permit

The existing point of diversion described in Permit 11605 is Stampede Dam as described in Exhibit 1A. The existing points of rediversion are described in Exhibit 2A. This point of diversion and the points of rediversion are shown on Map No. 320-419-156, dated December 17, 1953 filed with Permit 11605. This petition does not propose to eliminate any existing points of diversion or rediversion.

Points of Diversion and Rediversion to be Added

Points of diversion and rediversion are being added to authorize and facilitate transfers and exchanges under TROA. The point of diversion to be added is Boca Dam, which is described in Exhibit 1B and shown on Map No. 320-208-189 and filed with this petition. Points of

rediversion to be added are described in Exhibit 2B and shown on Map No. 320-208-189 and filed with this petition; they are located between Point A - Stampede Dam and Point B - Pyramid Lake.

Existing Place of Use under the Permit

Project water stored in Stampede Reservoir under Permit 11605 is identified to be used in the Truckee Meadows and Newlands Project as shown on Map No. 320-419-156, dated December 17, 1953, on file with Permit 11605. The existing place of use is described in Exhibit 3A.

Expanded Place of Use to be Added

The existing place of use is proposed to be expanded to include the areas of use within the townships described in Exhibit 3B and shown on Map No. 320-208-189 and filed with this petition.

Existing Purposes of Use under the Permit

Under Permit 11605, project water in Stampede Reservoir was originally intended to be used for irrigation, flood control, and recreation purposes. In 1971, domestic, municipal, industrial, and fish culture were added as purposes of use under Permit 11605. Soon after the reservoir was built, the Secretary of the Interior (Secretary), in order to satisfy an obligation under the Endangered Species Act and a trust responsibility to the Pyramid Lake Paiute Tribe, declared that Stampede project water was to be used only for the conservation of threatened Lahonton cutthroat trout and endangered cui-ui of Pyramid Lake. The United States District Court for the District of Nevada upheld the Secretary's decision. The Ninth Circuit Court of Appeals affirmed the decision of the lower court. The existing purposes of use are described in Exhibit 4A.

Purposes of Use to be Added

Project water stored in Stampede Reservoir shall be used for conservation of Pyramid Lake fishery (as provided in P.L. 101-618) and for such other uses as are provided in TROA and in accordance with the terms and conditions of TROA. The purposes of use to be added are described in Exhibit 4B.

EXHIBIT 1A

Existing Point of Diversion under the Permit

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.*

EXHIBIT 1B

Point of Diversion to be Added

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.

* All references to township and range on this page are to Mount Diablo Base & Meridian (MDB&M).

EXHIBIT 2A

Existing Points of Rediversion under the Permit

Existing points of rediversion authorized under the permit for irrigation, domestic, municipal, industrial, flood control, fish culture, and recreation are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet S8° 33' W from NW corner, Sec. 29, T19N, R18E*
- b) 5760 feet S22° 29'E from NE corner, Sec. 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam and others:

- c) Derby Dam - 2725 feet N32° 45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82° 45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N 56° 30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet N43° 00'E from SW corner, Sec. 4, T19N, R29E

EXHIBIT 2B

Points of Rediversion to be Added

Existing points of rediversion under the permit are to be retained. Numerous points of rediversion between the following points are to be added:

- Point A - Stampede Dam being within the NW 1/4, NW 1/4 Section 28, T19N, R17E.
- Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 3A

Existing Place of Use under the Permit

The existing place of use** authorized under the permit for irrigation is as follows and is shown on Map # 320-419-156 dated December 17, 1953, currently on file with Permit 11605.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

Township*	Range*
18N	18,19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

Township	Range
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

** Note: The other existing purposes of use are also permitted within the existing place of use authorized in the permit for irrigation. A March 22, 1971, SWRCB Order granted additional purposes of use, such as municipal use.

Expanded Place of Use under the Permit

The expanded place of use includes the existing place of use under the permit and the added place of use. The expanded place of use includes lands within the following townships and ranges:

Township*	Range*
15 N	16 and 17E
16N	16E
17N	15, 16 and 17E
18N	15, 16, 17, 18, 19 & 20E
19N	16, 17, 18, 19, 20, 21, 22, 23, 24, 25E
20N	18, 19, 20, 21, 22, 23, 24, 25, 26E
21N	18, 19, 20, 21, 25, 26E
22N	26E

Incidental power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Exhibits 1A and 1B to the points of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

T23N, R22 & 23E;
 T24N, R21, 22 & 23E;
 T25N, R20, 21 & 22E;
 T26N, R20, 21 & 22E;
 T27N, R21 & 22E.

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 4A

Existing Purposes of Use under the Permit

The existing purposes of use* authorized in the permit are the following:

- Domestic
- Municipal
- Industrial
- Irrigation
- Flood Control
- Fish Culture
- Recreation

EXHIBIT 4B

Purposes of Use to be Added

The purposes of use to be added because of the possible transfers and exchanges under TROA are the following:

- Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Incidental Power
- Groundwater Recharge
- Instream Water Quality Enhancement
- Stockwatering

*Note: The other existing purposes of use described in Exhibit 4A are also permitted within the place of use described in Exhibit 3A for irrigation.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 15673

PERMIT NO. 11605

LICENSE NO.

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Stampede Reservoir is one of a group of four
petitions, which are being filed to allow transfers and exchanges
of water under the Truckee River Operating Agreement (TROA). The
petitioners request that these petitions be treated as a single
project with a combined single notice. Additions of points of
diversion and rediversion, places of use and purposes of use
identified in this petition are only for the purpose of accommodating
implementation of the provisions of TROA.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
 - a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
 - b. Assessor's Parcel No. _____
 - c. County Zoning Designation _____
 - d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____
 - e. Have you obtained any of the required permits described above? NO
If yes, provide a complete copy of each permit obtained.
3. Are any additional state or federal permits required for your proposed changes? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____
4. Has any public agency prepared an environmental document for any aspect of your proposed changes? NO

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. The revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the petition will be fully described in the EIS/EIR. The action proposed by this petition is not anticipated to adversely affect plant communities at Stampede Reservoir.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are

proposed by this petition, nor will the places of water use be
affected by this petition. The action proposed by this petition
is not anticipated to adversely affect wildlife or wildlife
habitat. TROA is anticipated to increase the likelihood of
meeting reservoir and stream flow objectives and thereby,
maintain more constant riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date DEC 19 2003

Signature 

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

PETITION FOR CHANGE
(WATER CODE 1700)

Application X Point of Diversion, X Point of Rediversion, X Place of Use, X Purpose of Use
18006 Permit License 10180 Statement or Other

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows: See page 2 of attachment.

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No

(yes/no)

• GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water transfers and exchanges in accordance with TROA.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No

(yes/no)

• WATER WILL BE USED FOR See Attachment and Exhibit 4 PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership

(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow?

(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19, 20 2003 at Sacramento, California

(916) 978-5200

Signature(s)

Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

ATTACHMENT

Petition for Change Application 18006 - License 10180

General

License 10180 (Application 18006) for Prosser Creek Reservoir is held by the United States, Bureau of Reclamation (Reclamation). This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use and the removal of a license provision identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

Existing Points of Diversion and Rediversion under the License

The existing point of diversion described in License 10180 is Prosser Creek Dam and is described in Exhibit 1A. The existing points of rediversion are described in Exhibit 2A and shown on Map Nos. 320-419-365 and 320-419-366 dated February 18, 1958, on file with License 10180.

Points of Rediversion to be Added

Points of rediversion are being added to authorize and facilitate transfers and exchanges under TROA. The points of rediversion to be added are described in Exhibit 2B and are shown on Map No. 320-208-189 and filed with this petition; they are located between Point A - Prosser Dam and Point B - Pyramid Lake.

Existing Place of Use under the License

The existing place of use is described in Exhibit 3A and is shown on Map Nos. 320-419-365 and 320-419-366 dated February 18, 1958 on file with License 10180.

Expanded Place of Use to be Added

To authorize and facilitate water transfers and exchanges, the place of use is to be expanded to include the areas of use within the townships described in Exhibit 3B and shown on Map No. 320-2080189 and filed with this petition.

Existing Purposes of Use under the License

The existing purposes of use are described in Exhibit 4A.

Purposes of Use to be Added

Project water stored in Prosser Creek Reservoir shall be used for conservation of Pyramid Lake fishery (as provided in P.L. 101-618) and for such other uses as are provided in TROA and in accordance with the terms and conditions of TROA. The purposes of use are to be expanded to include those uses described in Exhibit 4B.

Provision to be removed from the License

It is requested that the following provision be removed from License 10180 and be replaced by operating criteria provided in TROA:

“The Licensee shall operate Prosser Creek Reservoir in coordination with releases of water from Lake Tahoe in the Truckee River in accordance with the operation schedule contained in the U.S. Bureau of Reclamation, Prosser Creek Reservoir Operation Study, January 14, 1958, and amended July 1, 1958, on file with the Board, or in accordance with any modified operation schedule that may be submitted by the Licensee, and approved by the State Water Resources Control Board after notice and opportunity to be heard has been given to all parties and other interested persons in this proceeding.”

EXHIBIT 1A

Existing Point of Diversion under the License

Existing point of diversion authorized under the license is:

Prosser Creek Dam - North $33^{\circ} 30'$ East 2,050 feet from SW corner of Section 30, T18N, R17E*, MDB&M, being within NW 1/4 of SW 1/4 of said Section 30.

No points of diversion are proposed to be added.

EXHIBIT 2A

Existing Points of Rediversion under the License

Existing points of rediversion authorized under the license for irrigation are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet $S8^{\circ} 33'$ W from NW corner, Section 29, T19N, 18E
- b) 5760 feet $S22^{\circ} 29'E$ from NE corner, Section 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam:

- c) Derby Dam - 2725 feet $N32^{\circ} 45'E$ from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet $N82^{\circ} 45'E$ from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet $N56^{\circ} 30'W$ from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet $N43^{\circ} 00'E$ from SW corner, Sec. 4, T19N, R29E

EXHIBIT 2B

Points of Rediversion to be Added

Existing points of rediversion under the license are to be retained.

Numerous points of rediversion between the following points are to be added:

- Point A - Prosser Dam being within the NW 1/4, SW 1/4 Section 30, T18N, R17E.
- Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Existing Place of Use under the License

The existing place of use authorized under this license includes 82,000 net acres within 143,480 acres all within the Truckee Meadows and Newlands Project area shown on Map Nos. 320-419-365 and 320-419-366 dated February 10, 1958 and currently on file with License 10180.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

Township*	Range*
18N	18, 19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

Township	Range
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Expanded Place of Use under the License

The expanded place of use includes the existing place of use and the added place of use. The expanded place of use includes lands within the following townships and ranges:

Township*	Range*
15N	16 & 17E
16N	16E
17N	15, 16 & 17E
18N	15, 16, 17, 18, 19 & 20E
19N	15, 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25E
20N	18, 19, 20, 21, 22, 23, 24, 25 & 26E
21N	18, 19, 20, 21, 25 & 26E
22N	26E

Incidental power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Farad	SE 1/4 SE ¼	12	18N	17E
Fleish	NE 1/4 SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW 1/4 SW ¼	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Exhibit 1A to points of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.

*All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

T23N, R22 & 23E *;
T24N, R21, 22 & 23E;
T25N, R20, 21 & 22E;
T26N, R20, 21 & 22E;
T27N, R21 & 22E

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 4A

Existing Purposes of Use under the License

The existing purposes of use authorized under the license are the following:

- Domestic
- Municipal
- Industrial
- Irrigation
- Fish Culture
- Recreational Uses

EXHIBIT 4B

Purposes of Use to be Added

The purposes of use to be added because of the possible transfer and exchanges under TROA are the following:

- Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)
- Stockwatering
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Incidental Power
- Groundwater Recharge
- Instream Water Quality Enhancement

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 18006

PERMIT NO. 11666

LICENSE NO. 10180

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Prosser Creek Reservoir is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice. Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
 - a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
 - b. Assessor's Parcel No. _____
 - c. County Zoning Designation _____
 - d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____
 - e. Have you obtained any of the required permits described above? No
If yes, provide a complete copy of each permit obtained.
3. Are any additional state or federal permits required for your proposed changes? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____
4. Has any public agency prepared an environmental document for any aspect of your proposed changes? No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. A revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach THREE COMPLETE SETS of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
 Red Fir
 Lodgepole Pine
 Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
 Douglas-Fir
 Jeffrey Pine
 Ponderosa Pine
 Eastside Pine
 Redwood
 Pinyon-Juniper
 Juniper
 Aspen
 Closed-Cone Pine-Cypress
 Montane Hardwood-Conifer
 Montane Hardwood
 Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
 Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
 Eucalyptus
 Montane Riparian
 Valley Foothill Riparian
 Desert Riparian
 Palm Oasis
 Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
 Low Sage
 Bitterbrush
 Sagebrush
 Montane Chaparral
 Mixed Chaparral
 Chamise-Redshank Chaparral
 Coastal Scrub
 Desert Succulent Shrub
 Desert Wash
 Desert Scrub
 Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
 Perennial Grassland
 Wet Meadow
 Fresh Emergent Wetland
 Saline Emergent Wetland
 Pasture

Aquatic Communities

Riverine
 Lacustrine
 Estuarine
 Marine

Developed Communities

Cropland
 Orchard-Vineyard
 Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are

proposed by this petition, nor will the places of water use be
affected by this petition. The action proposed by this petition
is not anticipated to adversely affect wildlife or wildlife
habitat. TROA is anticipated to increase the likelihood of
meeting reservoir and stream flow objectives and thereby,
maintain more constant riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

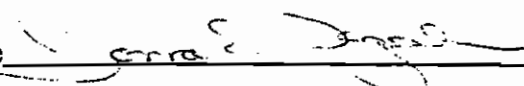
12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date DEC 19 2003

Signature 

PETITION FOR CHANGE

(WATER CODE 1700)

PET-CHG (1-00)

ATTACHMENT

Petition for Change Application 5169 - License 3723

General

License 3723 (Application 5169) for Boca Dam and Reservoir is held by the Washoe County Water Conservation District (District). The United States constructed and holds legal title to Boca Dam and Reservoir. The District operates and maintains Boca Dam and Reservoir and holds the license for all water storage rights at Boca Reservoir. Access by the District to Boca Reservoir is through a contract for storage of non-project water (Bureau of Reclamation Contract No. 4-07-20-W1177). This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

Existing Points of Diversion and Rediversion under the License

The existing point of diversion as authorized in License 3723 is Boca Dam and is described in Exhibit 1A. License 3723 authorizes multiple points of rediversion as described in Exhibit 2A. This point of diversion and the points of rediversion are shown on Map No. 320-419-156 dated December 17, 1953, on file with License 3723. This petition does not propose to eliminate any existing points of diversion or rediversion.

Points of Diversion and Rediversion to be Added

Points of diversion and rediversion are being added to authorize and facilitate transfers and exchanges under TROA. This petition requests the addition of Stampede Dam as an additional point of diversion, which is described in Exhibit 1B and shown on Map No. 320-208-189 filed with this petition. The points of rediversion to be added are described in Exhibit 2B and shown on Map No. 320-208-189 and filed with this petition; they are located between Point A - Boca Dam and Point B - Pyramid Lake.

Existing Place of Use under the License

Irrigation use will continue in the existing place of use described in License 3723. The existing place of use is described in Exhibit 3A and shown on Map No. 320-419-156, dated December 17, 1953, on file with License 3723.

Expanded Place of Use to be Added

The existing place of use is to be expanded to include the additional areas of use within the townships described in Exhibit 3B and shown on Map No. 320-208-189 filed with this petition.

Existing Purposes of Use under the License

The existing purposes of use are described in Exhibit 4A.

Purposes of Use to be Added

The purposes of use are to be expanded to include those uses described in Exhibit 4B.

EXHIBIT 1A

Existing Point of Diversion under the License

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.*

EXHIBIT 1B

Point of Diversion to be Added

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.

* All references to township and range on this page are to Mount Diablo Base & Meridian (MDB&M).

Existing Points of Rediversion under the License

Existing points of rediversion for irrigation to be retained are as follows:

No.	Diversion	Bearing	Distance	Cor.	Sec.	Twp.*	Range*
1	Steamboat	N 62°04'W	3195	SW	32	19N	18E
2	Coldron	S 8°33'W	1520	NW	29	19N	18E
3	Verdi Power	N 39°58'W	845	NW	29	19N	18E
4	Washoe Power	N 87°35'W	2004	NW	15	19N	18E
5	Highland	N 75°16'W	1650	NW	15	19N	18E
6	Hogan	S 42°01'W	2485	NW	15	19N	18E
7	Mastin	S 42°02'W	5808	NW	13	19N	18E
8	Last Chance	S 24°26'W	1840	NW	13	19N	18E
9	Sparks-Capurro	S 43°33'E	3750	NW	13	19N	18E
10	Irwin-Mayberry	S 84°25'W	3375	NW	20	19N	19E
11-12	Lake Southside	N 88°05'W	2620	NW	20	19N	19E
13	Orr with Ext.	N 44°40'E	3211	NW	20	19N	19E
14	Indian Flat	N 62°28'E	4335	NW	20	19N	19E
15	Reno Power	S 26°30'W	1702	NW	15	19N	19E
16	Countryman	S 79°15'W	695	NW	15	19N	19E
17	Chism	S 70°12'W	603	NW	15	19N	19E
18	English Mill	N 61°02'W	2595	NW	14	19N	19E
19	Sullivan-Kelly	N 60°00'E	3201	NW	14	19N	19E
20	Cochrane	N 69°15'E	3640	NW	14	19N	19E
21	Scott Ranch	N 64°28'E	5955	NW	14	19N	19E
22	Abbee	S 10°05'W	7250	NE	1	19N	19E
23	Perry	S 4°30'W	6620	NE	1	19N	19E
24	Eastman	S 44°40'W	3108	NE	7	19N	20E
25	North Truckee	S 39°28'W	3015	NE	7	19N	20E
26	Sessions	S 36°10'W	3030	NE	7	19N	20E
27	Pioneer	S 3°25'W	4795	NE	7	19N	20E
28	Stevens	S 21°00'E	5405	NE	7	19N	20E
29	Glendale	S 22°29'E	5760	NE	7	19N	20E
30	S. Largomarsino	S 42°45'W	3918	NE	18	19N	21E
31	N. Largomarsino	S 21°30'W	3602	NE	18	19N	21E
32	Groten	N 5°50"W	1550	NE	20	19N	21E
33	Sheep Ranch	N 17°28"E	2475	NE	20	19N	21E

All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Points of Rediversion to be Added

Existing points of rediversion under the license are to be retained. Numerous points of rediversion between the following points are to be added:

Point A - Boca Dam being within the SE 1/4, SW 1/4 Section 21, T18N, R17E.*

Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Existing Place of Use under the License

Existing place of use authorized under the license for irrigation and domestic uses within the Washoe County Water District's existing service area are located within the following townships and ranges within the State of Nevada:

Township*	Range*
18N	19 & 20E
19N	18, 19, 20 & 21E
20N	19 & 20E

EXHIBIT 3B**Expanded Place of Use to be Added**

The expanded place of use includes lands within the following townships and ranges:

Township	Range
15N	16 and 17E
16N	16E
17N	15, 16 and 17E
18N	15, 16, 17, 18, 19 & 20E
19N	15, 16, 17, 18, 19, 20, 21, 22, 24, 25E
20N	18, 19, 20, 21, 22, 23, 24, 25, 26E
21N	18, 19, 20, 21, 25 & 26E
22N	26E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Incidental power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township*	Range*
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Exhibits 1A and 1B to point of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

T23N, R22 & 23E;
T24N, R21, 22 & 23E;
T25N, R20, 21 & 22E;
T26N, R20, 21 & 22E;
T27N, R21 & 22E.

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Existing Purposes of Use under the License

Existing purposes of use authorized under License 3723 are the following:

Irrigation
Domestic

Purposes of Use to be Added

The purposes of use to be added because of the possible transfer and exchanges under TROA and in accordance with the terms and conditions of TROA are the following:

Municipal
Industrial
Stockwatering
Fish Culture
Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)
Fish & Wildlife Protection/Enhancement (including wetlands)
Incidental Power
Groundwater Recharge
Instream Water Quality Enhancement
Recreation

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 5169

PERMIT NO. 5286

LICENSE NO. 3723

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Boca Dam and Reservoir is one of a group of
four petitions, which are being filed to allow transfers and
exchanges of water under the Truckee River Operating Agreement
(TROA). The petitioners request that these petitions be treated
as a single project with a combined single notice. Additions of
points of diversion and rediversion, places of use and purposes
of use identified in this petition are only for the purpose of
accommodating implementation of the provisions of TROA.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
- b. Assessor's Parcel No. _____
- c. County Zoning Designation _____
- d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____
- e. Have you obtained any of the required permits described above? No
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. A revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
 Red Fir
 Lodgepole Pine
 Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
 Douglas-Fir
 Jeffrey Pine
 Ponderosa Pine
 Eastside Pine
 Redwood
 Pinyon-Juniper
 Juniper
 Aspen
 Closed-Cone Pine-Cypress
 Montane Hardwood-Conifer
 Montane Hardwood
 Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
 Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
 Eucalyptus
 Montane Riparian
 Valley Foothill Riparian
 Desert Riparian
 Palm Oasis
 Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
 Low Sage
 Bitterbrush
 Sagebrush
 Montane Chaparral
 Mixed Chaparral
 Chamise-Redshank Chaparral
 Coastal Scrub
 Desert Succulent Shrub
 Desert Wash
 Desert Scrub
 Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
 Perennial Grassland
 Wet Meadow
 Fresh Emergent Wetland
 Saline Emergent Wetland
 Pasture

Aquatic Communities

Riverine
 Lacustrine
 Estuarine
 Marine

Developed Communities

Cropland
 Orchard-Vineyard
 Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection. Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by
this petition will be fully described in the Revised Draft
EIS/EIR. TROA is anticipated to increase the likelihood of
meeting reservoir and stream flow objectives and thereby, maintain
more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected
by this petition will be fully described in the Revised EIS/EIR.
No diversion structures or distribution works are proposed by

this petition, nor will the places of water use be affected
by this petition. The action proposed by this petition is not
anticipated to adversely affect wildlife or wildlife habitat.
TROA is anticipated to increase the likelihood of meeting reservoir
and stream flow objectives and thereby, maintain more constant
riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 11/7/03 Signature [Signature]

State of California
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PETITION FOR CHANGE
(WATER CODE 1700)

Application 9247 ☒ Point of Diversion, ☒ Point of Rediversion, ☒ Place of Use, ☒ Purpose of Use
Permit _____ License 4196 Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No

(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water transfers and exchanges in accordance with TROA.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
- WATER WILL BE USED FOR See Attachment and Exhibit 4 (yes/no) PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? _____
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated December 11, 2003 at RENO, NEVADA, California

Keri Williams
Signature(s)

775-8341-8110
Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

ATTACHMENT

Petition for Change Application 9247 - License 4196

General

License 4196 (Application 9247) for Independence Dam is held by Truckee Meadows Water Authority. This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

Existing Points of Diversion and Rediversion under the License

The existing point of diversion described in License 4196 is Independence Dam, which is described in Exhibit 1A. License 4196 authorizes points of rediversion as described in Exhibit 2A. This point of diversion and the points of rediversion are shown on a map dated February 7, 1938, on file with License 4196. This petition does not propose to eliminate any existing points of diversion or rediversion.

Points of Diversion and Rediversion to be Added

Points of diversion and rediversion are being added to authorize and facilitate transfers and exchanges under TROA. This petition requests the addition of Stampede Dam and Boca Dam as additional points of diversion, which are described in Exhibit 1B and shown on Map No. 320-208-189 filed with this petition. The points of rediversion to be added are described in Exhibit 2B and are shown on Map No. 320-208-189 filed with this petition; they are located between Independence Dam and Pyramid Lake.